

EXHIBIT 5

CONFIDENTIAL

ST. BARNABAS HOSPITAL OFFICIAL WARNING NOTICE

☒ Verbal Warning ☐ Written Warning ☐ Day Suspension ☐ Termination

Employee's Name: Ruth Duarte Date: 11/2013
 Department: DCCS Job Title: Clinician

- | | |
|---|--|
| <input type="checkbox"/> Theft | <input type="checkbox"/> Excessive Absenteeism |
| <input type="checkbox"/> Gross Negligence | <input type="checkbox"/> Excessive Tardiness |
| <input type="checkbox"/> Poor Work Quality | <input type="checkbox"/> Soliciting of Tips |
| <input type="checkbox"/> Insubordination | <input type="checkbox"/> Dishonesty |
| <input type="checkbox"/> Swiping Another Employee's ID card | <input type="checkbox"/> Gambling |
| <input type="checkbox"/> Falsifying Information | <input type="checkbox"/> Sleeping on Duty |
| <input type="checkbox"/> Use or Possession of Narcotics | <input type="checkbox"/> Immoral Conduct |
| <input type="checkbox"/> Inappropriate Language | <input type="checkbox"/> Resisting Directive |
| <input type="checkbox"/> Leaving the Premises during Working Hours without Permission | |
| <input type="checkbox"/> Mistreatment, Lack of Treatment, or Abuse of Residents or Patients | |
| <input type="checkbox"/> Abuse or Waste of Tools, Equipment, Fixtures and Supplies | |
| <input type="checkbox"/> Troublemaker (fighting, creating a disturbance, gossiping) | |
| <input type="checkbox"/> Drinking or Being Under the Influence of Alcoholic Beverages While on Duty | |
| <input type="checkbox"/> Creating or Contributing to Unhealthy or Unsanitary Conditions | |
| <input type="checkbox"/> Violation of Safety Rules or Common Safety Regulations | |
| <input type="checkbox"/> Selling Merchandise or Soliciting Funds | |
| <input checked="" type="checkbox"/> Other (Please Specify) see below _____ | |

DETAILS: During our supervisory meeting on Wednesday November 13th, 2013 we discussed your request to change your floating holiday request on 11/15 to a sick day off. I informed you that I had already approved the floating holiday and would not change it to a sick day because sick days are used for times when there is an illness. You argued that you had a doctor's appointment and I informed you that as per policy a requested day off is not a sick day. You argued "one day you will lose your power", and I informed you that you were being inappropriate. I reminded you of our discussions in the past of how you communicate with others. This behavior was highlighted in your annual evaluation and has continued to reoccur. You are expected to monitor and improve your communication with staff, patients, and administrators at the program as it is unprofessional and violates hospital policy.

Certain serious violations may result in immediate termination; other infractions warrant the issuing of an official warning notice. You are being given this notice in the hope that there will be a sincere effort on your part to see that this violation will not be repeated. However, repetition of this offense may result in your dismissal as an employee.

[Signature] 11/20/13
 SIGNATURE OF DEPARTMENT HEAD DATE

I certify that I am familiar with the above mentioned violation policy, and I hereby acknowledge receipt of this official warning notice.

 SIGNATURE OF EMPLOYEE

 DATE



SBH001072

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IF EMPLOYEE REFUSES TO SIGN: "This is to certify that the employee named in this report was warned by their supervisor in my presence Concerning the subject matter gained therein." Witness: <u>[Signature]</u> Date: <u>4/20/13</u>	IF EMPLOYEE REFUSES TO ACCEPT FORM COPY: "Employee refuses to accept his/her copy of this warning notice." Supervisor: <u>[Signature]</u> Date: <u>11/20/13</u>
This Form Must Be Forwarded to the Department of Human Resources Revised: 3/6/09 (new)	

SBH001073